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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/769,920

02/03/2004

Shinji Hayashi

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22428

7590

05/09/2006

FOLEY AND LARDNER LLP
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3000 K STREET NW
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EXAMINER

SLITERIS, JOSELYNN Y

ART UNIT

PAPER NUMBER

3616

DATE MAILED: 05/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/769,920	HAYASHI ET AL.	
	Examiner	Art Unit	
	Joselynn Y. Sliteris	3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 3-13 and 17-27 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 14-16 and 28-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10142004:02032004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election of Group A, represented by Figures 1-4, in the reply filed on 4/18/06 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).
2. Claims 3-13 and 17-27 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 4/18/06.

Specification

3. The disclosure is objected to because of the following informalities: in paragraph [0028], "8" should be --8(a)-8(c)--; in paragraph [0029], "9" should be --9(a)-9(c)--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 2, 14-16, and 28-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Uehara et al. (U.S. Patent 6,113,131), as cited by applicant.

6. Regarding claims 1, 2, 14-16, and 28, Uehara discloses (Figs. 4A-4B, 9A-9C):
- a cover component 31, 310 mountable to an airbag system and having a tear line that is torn when an airbag of the airbag system inflates,
 - an airbag system comprising:
 - a folded airbag;
 - a gas generator configured to inflate the airbag; and
 - a cover component 31, 310 including a tear line that is torn open when an airbag of the airbag system inflates,
 - a vehicle interior trim 31, 310 having a tear line that is configured to be torn open when an airbag of an airbag system inflates,
 - wherein at least part of the tear line comprises a recessed line 31b, 311 and hollows 31a, 310a bored in the recessed line at intervals,
 - wherein the recessed line 31b, 311 is molded into the cover component 31, 310 using a raised line provided on a core surface of a die, and
 - wherein the hollows 31a, 310a are bored into the cover component by laser processing,
 - wherein the recessed line 31b, 311 decreases in depth gradually toward an endmost of the tear line,
 - wherein the vehicle interior trim is an instrument panel 21, 210.

Examiner notes the limitations of the recess line being molded and the hollows being bored by laser processing do not serve to distinguish. The method of forming the

device is not germane to the issue of patentability of the device itself. Nevertheless, examiner notes that the reference to Uehara meets the above limitations.

7. Regarding claims 29 and 30, Uehara discloses a method of making a cover component 31, 310 as in the present invention comprising:

- providing a die having a core surface having a raised line formed on the core surface;

- providing a moldable material 31A, 310;

- molding said moldable material using said die so as to form a molded material having a recessed line 31b, 311 corresponding to said raised line;

- providing a laser, and

- irradiating said molded material using said laser so as to bore a plurality of hollows 31a, 310a in said recessed line in said molded material at intervals;

- further comprising the step of attaching said molded material to said airbag system.

8. Claims 1, 2, and 14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Sawada et al. (U.S. Patent 5,195,773), as cited by applicant.

9. Regarding claims 1, 2, and 14-16, Sawada discloses:

- a cover component 1 mountable to an airbag system and having a tear line 2-4 that is torn when an airbag of the airbag system inflates,

- an airbag system comprising:

- a folded airbag;

- a gas generator configured to inflate the airbag; and

a cover component 1 including a tear line 2-4 that is torn open when an airbag of the airbag system inflates,

a vehicle interior trim 1 having a tear line 2-4 that is configured to be torn open when an airbag of an airbag system inflates,

wherein at least part of the tear line 2-4 comprises a recessed line 5 and hollows 6 bored in the recessed line at intervals,

wherein the recessed line 5 decreases in depth gradually toward an endmost of the tear line.

Examiner notes the limitations of the recess line being molded and the hollows being bored by laser processing do not serve to distinguish. The method of forming the device is not germane to the issue of patentability of the device itself. Therefore, this limitation has not been given patentable weight.

10. Claims 1, 2, 14-16, and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Hannert et al. (U.S. Patent 5,997,030), as cited by applicant.

11. Regarding claims 1, 2, 14-16, and 28, Hannert discloses:

a cover component 24 mountable to an airbag system and having a tear line 26 that is torn when an airbag of the airbag system inflates,

an airbag system comprising:

a folded airbag;

a gas generator configured to inflate the airbag; and

a cover component 24 including a tear line 26 that is torn open when an airbag of the airbag system inflates,

a vehicle interior trim 20 having a tear line 26 that is configured to be torn open when an airbag of an airbag system inflates,

wherein at least part of the tear line 26 comprises a recessed line 42, 44 and hollows 45 bored in the recessed line at intervals (Fig. 5),

wherein the recessed line 42, 44 decreases in depth gradually toward an endmost of the tear line (Figs. 3, 5, 8),

wherein the vehicle interior trim 20 is an instrument panel.

Examiner notes the limitations of the recess line being molded and the hollows being bored by laser processing do not serve to distinguish. The method of forming the device is not germane to the issue of patentability of the device itself. Therefore, this limitation has not been given patentable weight.

Conclusion

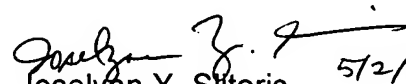
12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joselynn Y. Sliteris whose telephone number is 571-272-6675. The examiner can normally be reached on Mon, Thurs & Fri 8:30 am - 5:00 pm.

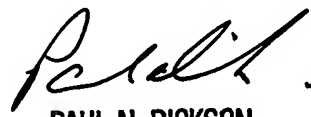
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Joselynn Y. Sliteris 5/2/06
Patent Examiner
Art Unit 3616

JYS
5/2/06


PAUL N. DICKSON 5/4/06
SUPERVISORY PATENT EXAMINER
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